



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA

v.

DONOVAN CHAPLIN,

Defendant.

CRIMINAL NO. 2:23-cr-110

18 U.S.C. §§ 2251(a)
Production of Visual Depiction of a Minor
Engaging in Sexually Explicit Conduct
(Count 1)

18 U.S.C. § 2422(b)
Coercion and Enticement of a Minor
(Count 2)

18 U.S.C. §§ 2252(a)(2)
Receipt of Visual Depiction of a Minor
Engaging in Sexually Explicit Conduct
(Count 3)

18 U.S.C. § 1470
Transfer of Obscene Material
to a Minor
(Count 4)

18 U.S.C. §§ 1467, 2253, 2428
Criminal Forfeiture

INDICTMENT

September 2023 Term -- At Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

GENERAL ALLEGATIONS

On or about April 11, 2022, defendant DONOVAN CHAPLIN was convicted in County Court for the County of Erie, New York, of Sexual Abuse in the First Degree, in violation of New York Penal Law § 130.65(3). This conviction is a prior conviction “under the laws of any State relating to aggravated sexual abuse, sexual abuse, [or] abusive sexual contact involving a

minor or ward.” 18 U.S.C. § 2251(e). This conviction is a prior conviction “under the laws of any State relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward.” 18 U.S.C. § 2252(b)(1).

COUNT ONE

On or about December 29, 2022, in the City of Franklin, within the Eastern District of Virginia, and elsewhere, defendant DONOVAN CHAPLIN, did knowingly employ, use, persuade, induce, entice, and coerce “Jane Doe,” a 15-year-old minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, and DONOVAN CHAPLIN knew and had reason to know that such visual depiction would be transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and that such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

(In violation of Title 18, United States Code, Sections 2251(a).)

COUNT TWO

Between on or about November 12, 2022, and on or about January 25, 2023, in the City of Franklin, within the Eastern District of Virginia, and elsewhere, defendant DONOVAN CHAPLIN, using a facility and means of interstate and foreign commerce, did knowingly attempt to and did persuade, induce, entice, and coerce an individual who had not attained the age of 18

years, namely “Jane Doe,” a 15-year-old minor, to engage in sexual activity for which a person can be charged with a criminal offense, including Virginia Code § 18.2-374.3.

(In violation of Title 18, United States Code, Section 2422(b).)

COUNT THREE

On or about December 29, 2022, in the City of Franklin, within the Eastern District of Virginia, and elsewhere, defendant DONOVAN CHAPLIN, did knowingly receive a visual depiction using a means and facility of interstate and foreign commerce, and which had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been so shipped and transported, by any means including by computer, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction was of such conduct.

(In violation of Title 18, United States Code, Sections 2252(a)(2).)

COUNT FOUR

On or about November 27, 2022, in the City of Franklin, within the Eastern District of Virginia, and elsewhere, defendant DONOVAN CHAPLIN, did, by a facility and means of interstate and foreign commerce, namely the Internet, knowingly transfer obscene matter to another individual who had not attained the age of 16 years, knowing that the other individual had not attained the age of 16 years, namely Jane Doe, a 15-year-old minor.

(In violation of Title 18, United States Code, Section 1470.)

CRIMINAL FORFEITURE

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE THAT:

Pursuant to Federal Rule of Criminal Procedure 32.2, the defendant, DONOVAN CHAPLIN, is hereby notified:

A. Upon conviction of either of the violations alleged in Counts One and Three of this Indictment, the defendant shall forfeit to the United States:

1. Any and all matter which constitutes child pornography or any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, 2252, 2252A, 2252B, or 2260, and produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2251 *et seq.*;

2. Any and all property, real and personal, used or intended to be used in any manner or part to commit or to promote the commission of violations of Title 18, United States Code, Section 2251 *et seq.*, and any property traceable to such property; and

3. Any and all property, real and personal, constituting, derived from, or traceable to gross profits or other proceeds obtained from the violations of Title 18, United States Code, Section 2251 *et seq.*

B. Upon conviction of the violation alleged in Count Two of this Indictment, the defendant shall forfeit to the United States:

1. Any property, real and personal, that was used or intended to be used to commit or to facilitate the commission of the violation;

2. Any property, real and personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of the violation.

C. Upon conviction of the violation alleged in Count Four of this Indictment, the defendant shall forfeit to the United States:

1. Any obscene material produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 1460 *et seq.*;
2. Any property, real and personal, constituting or traceable to gross profits or other proceeds obtained from the offense;
3. Any property, real and personal, used or intended to be used to commit or to promote the commission of the offense.

D. If any property that is subject to forfeiture above is not available, it is the intention of the United States to seek an order forfeiting substitute assets pursuant to Title 21, United States Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

(In accordance with Title 18, United States Code, Sections 1467, 2253, and 2428; and Title 21, United States Code, Section 853(p).)

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office

United States of America v. DONOVAN CHAPLIN
2:23-CR- 110

A TRUE BILL:

REDACTED COPY

FOREPERSON

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By: _____


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